

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7922 OF 2005.

Shri Narsinh Shikshan Prasarak Mandal, Sangawade & Anr.		Petitioners
V/s Education Officer (Secondary), Zilla Parishad, Kolhapur & Ors.		Respondents.

Mr.S.S.Patwardhan, Adv. For the petitioners.

Mr.V.S.Gokhale, for respondents.

Mr.S.M.Ghorwadkar with Rohit Pawaskar for respondents 4 to 6.

CORAM: V.G. PALSHIKAR, Ag. C.J.

AND

D.B. BHOSALE, J.

22nd Nov., 2005.

PC:

By this petition the petitioners have challenged the communication dated 31.10.2005 issued by Education Officer who by the said communication has authorized the person named therein to sign bills of teaching and non teaching staff for payment of salaries.

2. The challenge is on the ground that it was passed on an application made by a person styling himself as Chairman when factually he is not the Chairman. The application on the basis of which the impugned order is made is dated 19.10.2005 in which the request that the appointment of in-charge Head Master be stayed and it be given to Shri J.A.Patil. The words used are “may be stayed”.

The impugned order also is limited in its operation and the power is given upto 31.12.2005.

3. The petitioner has on 7.11.2005 made a detailed representation to the Education Officer, Zilla Parishad, Kolhapur pointed out the reasons why such stay be not continued. This representation is not yet decided. The power to sign the bills etc. is granted till 31.12.2005. Interest of justice would be met if Education Officer, Zilla Parishad, Kolhapur is directed to decide this representation after taking into consideration the allegations made therein atleast a week before 31.12.2005 preferably by 10.12.2005. Petition accordingly stands disposed of. Parties to act on copy of this order duly authenticated.